

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable Nickolas J. Dibiaso, Acting Presiding Justice; Honorable James F. Thaxter, Associate Justice; Honorable Rebecca A. Wiseman, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Elaine J. Duffy, Supervising Senior Deputy Clerk.

F031881 D&E Williams, Inc. v. Orange Avenue Packing, Inc. et al.
Cause called and argued by Kimberly Kralowec, Esq., counsel for appellant and by Steven E. Paganetti, Esq., counsel for respondent.
Cause ordered submitted.

F031758 Reyes v. United Pacific Construction, Inc.
Cause called and argued by Jeffrey I. Ehrlich, Esq., counsel for appellant and by John R. Hanson, Esq., counsel for respondent.
Cause ordered submitted.

At this point Thaxter, J. leaves the bench and is replaced by Levy, J.

F030391 Ghimenti v. Vision Care Center et al.
Cause called and argued by Stephen F. Danz, Esq., counsel for appellant and by Todd W. Baxter, Esq., counsel for respondent.
Cause ordered submitted.

Court recessed until Tuesday, October 17, 2000 at 1:30 P.M.

The court reconvened in its courtroom at 1:30 P.M. Present: Honorable Nickolas J. Dibiaso, Acting Presiding Justice; Honorable James F. Thaxter, Associate Justice; Honorable Rebecca A. Wiseman, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Diana Monopoli, Deputy Clerk.

F028940 The People v. Lee et al.
Cause called and argued by Stephen Greenberg, Esq., counsel for appellant Johnson Xiong. A.M. Weisman, Esq., counsel for appellant Phia Lee and Timothy L. Rieger, Deputy Attorney General, counsel for respondent waived oral argument.

Cause ordered submitted.

Court recessed until Friday, October 20, 2000 at 11:00 a.m.

IN THE
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- F034071 People v. Marquez**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F033964 People v. Foster**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F034216 People v. Laury**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F034165 People v. Murphy**
F036313 In re Andre Lamont Murphy on Habeas Corpus
The judgment is affirmed. The petition for writ of habeas corpus is denied.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F033519 Price v. Corbett**
The judgment is affirmed. Dibiaso, Acting P.J.
We concur: Thaxter, J.; Wiseman, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F036310 Mary B.S. v. Superior Court, County of Kern; Kern County Dept. of Human Services**
Pursuant to the terms of this court's order of September 18, 2000, and the failure of any party to request oral argument, the oral argument date of October 16, 2000, is vacated. This matter is deemed submitted on the date of this order.

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- F033827 Joiner v. Marriott International, Inc., et al.**
The judgment is affirmed. Dibiaso, Acting P.J.
We concur: Thaxter, J.; Wiseman, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F033500 People v. Johnson**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F033850 People v. Livingston**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F033328 People v. Sylvester**
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.
- F033878 People v. Huitron**
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.
- F036053 In re Samantha F., a Minor**
No brief or request for extension of time having been filed within the time provided, the appeal is dismissed.
- F033522 Barela v. Board of Trustees of the Selma Unified School District et al.**
Respondent's petition for rehearing filed herein is denied.
- F032482 County of Stanislaus v. Martin**
Filed order denying request for publication of the opinion.

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**F036292 Eugene B. v. Superior Court of Stanislaus County; Stanislaus County
Community Services Agency**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

**F028332 People v. Reno
F033529 In re Ronald Reno on Habeas Corpus**

Appellant's petition for rehearing filed herein is denied.

F033117 People v. Graham

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F034089 People v. Isbell

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F034745 In re Julio T., a Minor

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F033645 People v. Phillips

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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F036110 People v. Hernandez

No brief having been filed by appellant after notice duly given under rule 17(c) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F036105 People v. Alvarez

No brief having been filed by appellant after notice duly given under rule 17(c) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F032009 People v. Visnaw

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F031883 People v. Nobel Insurance Company

The judgment is affirmed. Vartabedian, Acting P.J.

We concur: Harris, J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F035609 People v. Evans

No brief having been filed by appellant after notice duly given under rule 17(c) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F033962 People v. Ramirez

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F035262 In re Alejandro G., a Minor

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.